



STOP CHILD MARRIAGE

Information for under 18 year olds



English

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MARRIAGE IN GERMANY



Marriage is an important event in a person's life. This is why all countries have a minimum legal age for marriage: often 18 years of age. But many people – mostly women – are younger than 18 when they get married. Maybe you too? There are many reasons to get married, when you are still 15 or 16, or even earlier.

- Did your parents choose a husband for you, because that is the tradition in your home country?
- Did you flee from your home country and did you decide (with your parents) that a marriage means better protection for you?
- Was your marriage important to help your family financially?
- Were you *forced* to get married or were you not allowed to say 'no'? To be 'forced' means that you have to do something.
- Are you not yet 18 years old, and your parents are planning a marriage for you?
- Are you not yet 18 years old, but you want to marry your boyfriend?

If your answer is 'YES' to one of the questions above, continue reading!
The information is important for you.

LAWS IN GERMANY

The minimum legal age for marriage in Germany



Important:

- You cannot get married in Germany, if you are younger than 18 years old.
- If your parents are planning your marriage, even though you are still under 18, they have to pay money as punishment.
- You can get help. You can call a [counselling center](#). The women who work there can understand and help you.

Since 2017, there is a new German law: if you are not yet 18 years old, you are not allowed to get married. There is no exception to this law. It does not matter what your parents say, or whether you have German citizenship. Nobody is allowed to get married in Germany, if they are younger than 18.

Religious or traditional marriages are also not allowed if you are not yet 18 years old. If your family is planning your marriage or engagement and invites guests for this event, this breaks the law. They have to pay money as punishment. It is even possible that your parents have to leave Germany as a result. This is why it is better to talk to your parents early on. Tell them that marriage is not allowed in Germany, if you are younger than 18. You can get help for this difficult conversation, for example, from a counselling center. Here is a list of [counselling centers](#) where you can reach women who will help you.

Did you already get married? If yes, continue reading!

What happens if I got married when I was younger than 16 years old?



Important:

- If you were younger than 16 years old when you got married, then your marriage is not *valid* in Germany. That means it does not count.
- There are 2 exceptions:
 1. You turned 18 before July 22nd, 2017. Your marriage is valid in Germany.
 2. You turned 18 before you came to Germany. Your marriage is valid in Germany.
- If you came to Germany without your parents, there is another person that takes care of you. This person is your *guardian*. The guardian can be either a woman or a man. If you want a female guardian, you need to say that very clearly. Instead of your parents, it is the guardian who is responsible for you.
- If you have questions, you can call a [counselling center](#). The women who work there can help you.

You were not yet 16 years old when you got married, and right now you are still under 18? Then, your marriage is not *valid* in Germany. That means it does not count. What does this mean for you?

In Germany, you count as not married. Since you are not yet an adult, there must be someone who takes care of you. This person is responsible for you. Most of the time that is your parents. You are an adult when you are 18. Then, you can make decisions on your own. And you don't need the permission of your parents anymore.

If you came to Germany with your husband but without your parents, there will be another person taking care of you – until you are 18. This person is your *guardian*. The guardian can either be a woman or a man. If you want a female guardian, you need to say that very clearly. The state agency that chooses the guardian is the *Youth Welfare Office*. The Youth Welfare Office is the agency that takes care of children and young people.

The guardian wants you to be happy. The guardian helps, for example, with your housing. In Germany, there is housing only for girls. There you can find caregivers, only women, who speak your language and can help you. The three of you (you, your guardian, and the caregiver) will talk about your life in Germany.

If you were younger than 16 when you got married and you are now already older than 18, then it is a bit more difficult.

2 questions:

1. Did you already turn 18 before July 22nd, 2017? Then, your marriage is valid in Germany.
2. Did you already turn 18 in your home country? Then, your marriage is valid in Germany.

Did you answer 'no' to both questions? And you got married when you were younger than 16? Then, you count as not married in Germany. Important: this is just in Germany; in your home country, you are still married.

Because you already turned 18 years old, the *Youth Welfare Office* is not automatically responsible for you. The Youth Welfare Office is a state agency that deals with children and young people. You should talk to a counselling center. The women in the counselling center can help you. Here is a list of [counselling centers](#).

It is better to get help instead of hiding your marriage. Nobody will punish you, and you will have a say in what happens.

Are you pregnant? Do you have children? There is also help for you.

You were 16 or 17 years old when you got married? Continue reading!

What happens if I got married when I was 16 or 17 years old?



Important:

- If you were 16 or 17 years old when you got married, at first, your marriage counts as valid.
- However: If you are still not 18, your marriage will be *annulled*. An annulment is like a divorce. You count as not married anymore in Germany.
- There are two exceptions:
 1. Your home country is in the European Union. Then, your marriage will probably be valid.
 2. You will soon turn 18. Then, maybe your marriage will be valid – if you want that.
- If you are already 18 years old, you can decide if you want to continue to be married.

You are not yet 18 years old and you got married when you were 16 or 17? Then, at first, your marriage counts as valid. But in Germany you cannot get married when you are younger than 18 years old. This is why the marriage needs to be *annulled* by a judge. An annulment is like a divorce. After the annulment, you count as not married anymore in Germany. There are only few exceptions.

If your home country is in the European Union, then your marriage will probably be valid. You will soon turn 18? Then maybe your marriage will be valid – if you want that. When you are 18, you can decide if you want to be married or not. The judge needs to accept your decision.

If you are not yet 18 years old and you came to Germany without your parents, the *Youth Welfare Office* will help you. The Youth Welfare Office is a state agency that takes care of children and young people.

The Youth Welfare Office also helps you, if you disagree with your parents about your marriage. A [counselling center](#) can also help you! You can talk to the women who work there.

Until the annulment of your marriage you can live together with your husband. But only if you want that, and only, if he is not violent. You can also live in housing only for girls.

The annulment only counts in Germany. In your home country you continue to be married. The annulment has no negative consequences for you.

You are already 18 years old and want an annulment of your marriage? Then, talk to a [counselling center](#).

Are you pregnant? Do you have children? There is also help for you.

Do I have to leave Germany if I got married when I was younger than 18 years old?



Important:

- You do not have to leave Germany. Even if you were younger than 18 when you got married.
- If your husband gets asylum or is recognized as a refugee, this also applies to you. That means you can stay as well.
- The asylum procedure in Germany is very complicated. It is better to get some help.

Don't be afraid! You do not have to leave Germany, if your marriage is not valid or was annulled.

If your husband gets asylum or is recognized as a refugee, this also applies to you. That means you can stay as well! This is because in your home country your marriage is still valid, so you, as his wife, are still in danger in your home country. This is why you get asylum in Germany.

The asylum procedure in Germany is complicated. It is important that you get some help. Talk to someone you trust. There is another website with a lot of information for you. It is called "Pro Asyl" and you can find it here: www.proasyl.de/en/.

What happens if I am pregnant or if I have children?



Important:

- In Germany mothers get help. Even if they were not born here.
- If your marriage is not valid, you still have *custody* of your children. This means that you take care of your children. Your husband does not automatically count as the father. Your children get a guardian until you are 18. The guardian helps you in difficult situations. This could be a woman or a man. If you want a female guardian, you need to say that very clearly.
- If your marriage is annulled, your husband automatically counts as the father of your children. You both have custody. This means, that you both take care of your children.

If you have children or if you are pregnant, the situation is complicated for you. Especially, if you came to Germany without your parents. But you are not alone! In Germany, mothers get a lot of help. Even mothers that were not born or did not grow up in Germany. For example, there is housing for young mothers and their children.

Your marriage is not valid?

Then, only you have the *custody* for your children. Custody means who is responsible for the children. Most of the time that is the parents.

Your husband does not automatically count as the father. He can get his *paternity* officially recognized (this means that he is officially the father). The *Youth Welfare Office* can do this, for example. This can take some time. The Youth Welfare Office is a state agency that deals

with children and young people. If the Youth Welfare Office recognizes the paternity, then you both have custody.

Your children get a *guardian* until you are 18 years old. The guardian is responsible for your children and supports you in difficult situations. The guardian could be a woman or a man. If you want a female guardian, you need to say that very clearly. If you are younger than 18, you are not allowed to sign documents alone. You will do this together with the guardian. But, she or he does not decide without you. And, of course, you take care of your children.

Your marriage was annulled?

This means that your husband is automatically the father of your children. You both have custody. That means that you both take care of your children.

Do you want to have *sole custody* (that means only you have custody)? Then the court needs to decide that. The guardian will help you, if you are under 18.

COUNSELLING CENTERS IN GERMANY



In Germany, there are counselling centers for girls and women, who got married early or who were forced to get married. The women who work there know how to help you. They are on your side. They can also give you advice *anonymously*. That means that you do not have to tell them your name.

They also speak a lot of languages, if you do not understand German very well. Or an *interpreter* will help. This is a woman who speaks a lot of languages, also yours. You have the right to get help.

[Here](#) is a list of a few counselling centers for you.

www.zwangsheirat.de

THE RIGHTS OF THE CHILD IN GERMANY



Why is there this new law? This is very simple: the law was made for you and all the other children and young people. The *rights of the child* are very important in Germany. Children have their own rights. This means that your parents cannot make all decisions about you. For example, they cannot decide who you get married to. Especially not, if you are under 18 years old.

The German society is worried about marriages under 18 years of age. This is because suddenly, you are in the role of an adult. This means that you have many duties and things to do. This can be too much sometimes.

Remember: all children should have the opportunity to play and to develop freely. And to go to school, of course. In Germany, children and young people have the duty to go to school, even if they were not born here.

School teachers are there to make sure that you are okay. They help you. You can talk to them, if you are worried or have problems.

If you have big problems at home (like violence), the police will help and protect you. Just like the *Youth Welfare Office*. They are there especially for children and young people.

TERRE DES FEMMES



TERRE DES FEMMES is a human rights organization for girls and women. It was founded in 1981. We support girls and women by raising public awareness about violence against them. Then nobody can say they did not know about it. We ask politicians to make laws to protect girls and women from violence.

We organize projects that make girls and women stronger and tell them about their rights. We also support projects for women in other countries. We are politically independent and are not a state agency. Our goal is to make things better for girls and women.

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